

PROOF

STATE OF IOWA

House Journal

WEDNESDAY, MARCH 28, 2018

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(The official bound copy will be available after a reasonable time upon adjournment.)

JOURNAL OF THE HOUSE

Eightieth Calendar Day - Fifty-fifth Session Day

Hall of the House of Representatives
Des Moines, Iowa, Wednesday, March 28, 2018

The House met pursuant to adjournment at 8:33 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Jaapher Abdul Hamed, Imam of Muslin Community Organization, Des Moines. He was the guest of Anderson of Polk and Abdul-Samad of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Clare Alden, Colton Miller and Annabelle Bissonnette from Ankeny. They are the grandchildren of P. Miller of Jefferson.

The Journal of Tuesday, March 27, 2018, was approved.

On motion by Hagenow of Polk, the House was recessed at 8:44 a.m., until 10:30 a.m.

MORNING SESSION

The House reconvened at 10:54 a.m., Hager of Allamakee in the chair.

CONSIDERATION OF BILLS Unfinished Business Calendar

[Senate File 449](#), a bill for an act relating to the installation of cattle guards by landowners along certain streets or highways, and including effective date provisions, with report of committee recommending amendment and passage, was taken up for consideration.

Sieck of Mills offered amendment [H-8039](#) filed by the committee on Transportation and moved its adoption.

The committee amendment [H-8039](#) was adopted.

Sieck of Mills moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 449](#))

The ayes were, 97:

Abdul-Samad	Bacon	Baltimore	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hall	Hanusa	Heartsill	Heaton
Heddens	Hein	Highfill	Hinson
Holt	Holz	Hunter	Huseman
Isenhardt	Jacobsen	Jones	Kacena
Kaufmann	Kearns	Kerr	Klein
Koester	Kressig	Kurth	Landon
Lensing	Lundgren	Mascher	Maxwell
McConkey	McKean	Meyer	Miller, H.
Miller, P.	Mohr	Mommsen	Moore
Nielsen	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Running-Marquardt	Salmon
Sexton	Sheets	Sieck	Smith, M.
Smith, R.	Staed	Steckman	Taylor, R.
Taylor, T.	Thede	Upmeyer, Spkr.	Vander Linden
Watts	Wessel-Kroeschell	Wheeler	Winckler
Windschitl	Wolfe	Worthan	Zumbach
Hager, Presiding			

The nays were, 3:

Anderson	Jacoby	Wills
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Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Windschitl of Harrison in the chair at 11:05 a.m.

[Senate File 2175](#), a bill for an act relating to partition of property in kind and partition of property by sale, with report of committee recommending passage, was taken up for consideration.

Rizer of Linn moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2175](#))

The ayes were, 99:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Bergan
Best	Bloomingtondale	Bossman	Breckenridge
Brown-Powers	Carlson	Cohoon	Cownie
Deyoe	Dolecheck	Finkenauer	Fisher
Forbes	Fry	Gaines	Gaskill
Gassman	Grassley	Gustafson	Hagenow
Hager	Hall	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Hinson	Holt	Holz	Hunter
Huseman	Isenhardt	Jacobsen	Jacoby
Jones	Kacena	Kaufmann	Kearns
Kerr	Klein	Koester	Kressig
Kurth	Landon	Lensing	Lundgren
Mascher	Maxwell	McConkey	McKean
Meyer	Miller, H.	Miller, P.	Mohr
Mommsen	Moore	Nielsen	Nunn
Oldson	Olson	Ourth	Paustian
Pettengill	Prichard	Rizer	Rogers
Running-Marquardt	Salmon	Sexton	Sheets
Sieck	Smith, M.	Smith, R.	Staed
Steckman	Taylor, R.	Taylor, T.	Thede
Upmeyer, Spkr.	Vander Linden	Watts	Wessel-Kroeschell
Wheeler	Wills	Winckler	Wolfe
Worthan	Zumbach	Windschitl,	
		Presiding	

The nays were, 1:

Baltimore

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

SENATE AMENDMENTS CONSIDERED
House Concurred

Nunn of Polk called up for consideration [Senate File 2177](#), a bill for an act relating to consumer protection modifying provisions applicable to consumer security freezes and including effective date provisions, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment [H-8297](#), to the House amendment.

The motion prevailed and the House concurred in the Senate amendment [H-8297](#), to the House amendment.

Nunn of Polk moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2177](#))

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomingtondale	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhart	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Wills of Dickinson called up for consideration [House File 2407](#), a bill for an act relating to the application of pesticides into lakes, and providing penalties, amended by the Senate, and moved that the House concur in the Senate amendment [H-8286](#).

The motion prevailed and the House concurred in the Senate amendment [H-8286](#).

Wills of Dickinson moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2407](#))

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.

Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Landon of Polk called up for consideration [House File 2253](#), a bill for an act regarding competitive bidding requirements for construction by a private party of property to be lease-purchased by certain government entities and including effective date and applicability provisions, amended by the Senate, and moved that the House concur in the Senate amendment [H-8333](#).

The motion prevailed and the House concurred in the Senate amendment [H-8333](#).

Landon of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([H.F. 2253](#))

The ayes were, 59:

Bacon	Baltimore	Baudler	Baxter
Bergan	Best	Bloomingtondale	Bossman
Carlson	Cownie	Deyoe	Dolecheck
Fisher	Fry	Gassman	Grassley
Gustafson	Hagenow	Hager	Hanusa
Heartsill	Heaton	Hein	Highfill
Hinson	Holt	Holz	Huseman
Jacobsen	Jones	Kaufmann	Kerr
Klein	Koester	Landon	Lundgren
Maxwell	McKean	Mohr	Mommsen
Moore	Nunn	Paustian	Pettengill
Rizer	Rogers	Salmon	Sexton
Sheets	Sieck	Taylor, R.	Upmeyer, Spkr.

Vander Linden	Watts	Wheeler	Wills
Worthan	Zumbach	Windschitl, Presiding	

The nays were, 41:

Abdul-Samad	Anderson	Bearinger	Bennett
Breckenridge	Brown-Powers	Cohoon	Finkenauer
Forbes	Gaines	Gaskill	Hall
Heddens	Hunter	Isenhart	Jacoby
Kacena	Kearns	Kressig	Kurth
Lensing	Mascher	McConkey	Meyer
Miller, H.	Miller, P.	Nielsen	Oldson
Olson	Ourth	Prichard	Running-Marquardt
Smith, M.	Smith, R.	Staed	Steckman
Taylor, T.	Thede	Wessel-Kroeschell	Winckler
Wolfe			

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

House Concurred

Wheeler of Sioux called up for consideration [Senate File 2364](#), a bill for an act requiring school districts and accredited nonpublic schools to develop high-quality emergency operations plans for school buildings, amended by the House, further amended by the Senate and moved that the House concur in the Senate amendment [H-8317](#), to the House amendment.

The motion prevailed and the House concurred in the Senate amendment [H-8317](#), to the House amendment.

Wheeler of Sioux moved that the bill, as amended by the House, further amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" ([S.F. 2364](#))

The ayes were, 100:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Bergan	Best	Bloomington	Bossman
Breckenridge	Brown-Powers	Carlson	Cohoon
Cownie	Deyoe	Dolecheck	Finkenauer
Fisher	Forbes	Fry	Gaines
Gaskill	Gassman	Grassley	Gustafson
Hagenow	Hager	Hall	Hanusa
Heartsill	Heaton	Heddens	Hein
Highfill	Hinson	Holt	Holz
Hunter	Huseman	Isenhardt	Jacobsen
Jacoby	Jones	Kacena	Kaufmann
Kearns	Kerr	Klein	Koester
Kressig	Kurth	Landon	Lensing
Lundgren	Mascher	Maxwell	McConkey
McKean	Meyer	Miller, H.	Miller, P.
Mohr	Mommsen	Moore	Nielsen
Nunn	Oldson	Olson	Ourth
Paustian	Pettengill	Prichard	Rizer
Rogers	Running-Marquardt	Salmon	Sexton
Sheets	Sieck	Smith, M.	Smith, R.
Staed	Steckman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Watts
Wessel-Kroeschell	Wheeler	Wills	Winckler
Wolfe	Worthan	Zumbach	Windschitl, Presiding

The nays were, none.

Absent or not voting, none.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 2253, 2407** and **Senate Files 449, 2175, 2177** and **2364**.

SPECIAL PRESENTATION

Wills of Dickinson introduced to the House, former legislator Mike May.

The House rose and expressed its welcome.

SPONSOR ADDED

[House Resolution 109](#) – Heartsill of Marion

BILLS SIGNED BY THE GOVERNOR

A communication was received from the Governor announcing that on March 28, 2018, the following bills were approved and transmitted to the Secretary of State:

[House File 2125](#), an Act relating to probate by the distribution of decedent's property by affidavit, requiring certain affirmations in the affidavit, and including an applicability provision.

[House File 2232](#), an Act relating to mortgage releases.

[House File 2235](#), an Act relating to statewide assessments of student progress for purposes of core academic indicators, and including effective date provisions.

[House File 2309](#), an Act relating to reimbursement for dually eligible Medicare and Medicaid beneficiaries receiving the Medicare hospice benefit in a nursing facility.

[House File 2318](#), an Act relating to redemption by certain persons of parcels sold at tax sale.

[House File 2343](#), an Act prohibiting state agencies from implementing or enforcing any standard, requirement, or threshold without clear authorization.

[House File 2348](#), an Act relating to nonsubstantive Code corrections.

[House File 2354](#), an Act relating to student personal information protection.

[House File 2356](#), an Act relating to agreements between individuals and health care professionals for the provision of certain primary care health services for a service charge that covers an agreed upon period of time.

[House File 2365](#), an Act relating to conservation and recreation policies and programs within the department of natural resources.

[House File 2370](#), an Act relating to the provision of information regarding postadoption services to all adoptive families.

[House File 2383](#), an Act relating to private employer alcohol testing policies.

[House File 2422](#), an Act providing for the management of weeds, including noxious weeds, and making penalties applicable.

[House File 2449](#), an Act relating to the substitute decision maker Act.

[House File 2451](#), an Act relating to the programs and services under the purview of the department on aging.

[Senate File 2098](#), an Act relating to probate, by amending the probate powers of the clerk and conforming the probate procedures to electronic data management systems standards.

[Senate File 2117](#), an Act relating to public funding and regulatory matters and making, reducing, transferring, and supplementing appropriations for expenditures in the fiscal year beginning July 1, 2017, and including effective date provisions.

[Senate File 2131](#), an Act expanding the Iowa learning online initiative to include students receiving independent private instruction, competent private instruction, or private instruction and providing for related fees, directing the area education agencies to convene an online learning working group, and including effective date provisions.

[Senate File 2139](#), an Act relating to the powers of an agent under a power of attorney with respect to real property and including effective date provisions.

[Senate File 2201](#), an Act relating to the national guard, by authorizing a morale, welfare, and recreation activity and establishing procedures concerning notification of civilian authorities regarding certain criminal offenses committed by members of the national guard.

[Senate File 2255](#), an Act relating to the auditor of state concerning legislative requests for auditor reviews, applications for certain city or township audits, and retention of certain repayments for auditor services.

[Senate File 2290](#), an Act relating to boards of trustees for county and city hospitals.

[Senate File 2325](#), an Act relating to the notation of discharges of motor vehicle security interests.

HOUSE STUDY BILL COMMITTEE ASSIGNMENT

[H.S.B. 683](#) Ways and Means

Excluding entities under the control of an institution of higher learning governed by the state board of regents from the sales tax exemption for sales where the profits are used by or donated to certain nonprofit entities for educational, religious, or charitable purposes.

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and are on file in the office of the Chief Clerk:

CARMINE BOAL
Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly [House File 2454](#)), establishing a process for voter approval of a proposition to require a township to provide emergency medical service.

Fiscal Note: **No**

Recommendation: **Amend and Do Pass** March 28, 2018.

RESOLUTION FILED

[H.R. 110](#), by Gaines and Olson, a resolution congratulating the Grand View University Vikings wrestling team on winning the National Association of Intercollegiate Athletics Wrestling National Championship for the seventh consecutive year.

Laid over under **Rule 25**.

On motion by Hagenow of Polk, the House adjourned at 11:22 a.m., until 8:30 a.m., Thursday, March 29, 2018.